

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 2259 - SB 2348**

February 16, 2018

**SUMMARY OF BILL:** Creates the *Healthcare Billing Collections Act of 2018*. Requires the rate of reimbursement negotiated privately between a health insurance carrier and a healthcare provider be protected as a trade secret and confidential commercial information.

Declares this Act will apply in any civil action arising out of the alleged obligations of an enrollee for the payment of medical services rendered by a non-participating healthcare provider, including a claim based on the theory of contract, contract implied in fact, or contract implied in law. Entitles an enrollee who is a party to the civil action in this *Act* to discovery of the non-participating provider's contracted rates for the medical services at issue in the civil action.

Authorizes a health insurance carrier to seek protective orders from the court to protect against public disclosure of protected information. Limits the amount a non-participating healthcare provider is entitled to recover. The proposed legislation has an effective date of January 1, 2019.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Based on information provided by the Division of TennCare, the proposed legislation will not impact any of TennCare's programs or services; therefore, any fiscal impact is estimated to be not significant.
- Based on information provided by the Department of Finance and Administration, Division of Benefits Administration (Benefits Administration), the proposed legislation will not have an impact on Benefits Administration; therefore, any fiscal impact is estimated to be not significant.
- Based on information provided by the Department of Commerce and Insurance, the proposed legislation will not impact any of the DCI's program or policies; therefore, any fiscal impact is estimated to be not significant.

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- Local court clerks can handle processing any increase in orders of protection within existing resources.
- Local courts can handle any increase in hearing orders of protection within existing court resources.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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